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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/866,680	05/30/2001	Osami Ushigusa	1359.1047	5106

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EXAMINER

NAWAZ, ASAD M

ART UNIT PAPER NUMBER

2155

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/866,680

Applicant(s)

USHIGUSA, OSAMI

Examiner

Asad M Nawaz

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-20 are pending.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Claim 1 recites the limitation "...rank selected by *each* receiver...from *each* sender", wherein only "a [single] sending apparatus to a [single] receiving apparatus" is mentioned in the preamble. There is insufficient antecedent basis for this limitation in the claim. Claim 11 also exhibits similar language.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Reilly et al (US PG PUB 2002/0026349 A1), hereinafter referred to as Reilly.

As to claim 1, Reilly teaches an information distribution apparatus for mediating distribution of information from a sending apparatus to a receiving apparatus, comprising: a sending/receiving control part for conducting communication with the sending apparatus or the receiving apparatus; (Abstract; 0033)

a distribution rank storage part for storing a distribution rank selected by each receiver with respect to distribution information from each sender, among distribution ranks defining distribution conditions containing designation of a summarization degree of distribution information in a plurality of levels; (Abstract; 0015, 0017, 0031-0035)

a distribution information storage part for storing an original of distribution information from the sending apparatus; (Abstract, 0015, 0035, 0069, 0091-0093)

and a summarization processing part for, when receiving a request for distribution of information from the sending apparatus through the sending/receiving control part, obtaining a distribution rank selected by the receiver of the distribution information with respect to the distribution information from the sender, from the distribution rank storage part, and conducting summarization processing of distribution information stored in the distribution information storage part in accordance with designation of a summarization degree corresponding to the obtained distribution rank, wherein the distribution information in accordance with the distribution rank is distributed from the sending/receiving control part to each receiving apparatus. (Abstract; 0015, 0017, 0031-0035, 0051, 0054, 0069)

Claim 11 is rejected for essentially being the method for the system described in claim 1.

As to claim 2, Reilly teaches an information distribution apparatus according to claim 1, wherein the distribution conditions further include designation of a distribution time. (0059, 0065)

As to claim 3, Reilly teaches an information distribution apparatus according to claim 1, comprising a retransmission processing part for receiving a request for transmission of an original of distribution information from a receiver of distribution information subjected to the summarization processing, extracting an original stored in the distribution information storage part, and distributing the original to the receiving apparatus through the sending/receiving control part. (Abstract, 0091-0093)

Claim 12 is rejected for essentially being the method for the system described in claim 3.

As to claim 4, Reilly teaches an information distribution apparatus according to claim 1, comprising a rank information passing part for totalizing distribution ranks stored in the distribution rank storage part, and sending the totalized result to the sending apparatus through the sending/receiving control part. (Abstract, 0017, 0041, 0055-0066, 0070, 0101)

Claim 13 is rejected for essentially being the method for the system described in claim 4.

As to claim 5, an information distribution apparatus according to claim 1, comprising an image information generating part for adding screen definition information of a rank setting screen for allowing a receiver to input the distribution rank by selection, or access information to the rank setting screen to each distribution information; and a distribution rank updating part for updating contents stored in the distribution rank storage part, based on a selection result which a receiver inputs by selection on the rank setting screen. (Abstract, 0017, 0035, 0051-0052, 0055, 0066, 0070, 0071)

Claim 14 is rejected for essentially being the method for the system described in claim 5.

As to claim 6, Reilly teaches an information distribution apparatus according to claim 5, wherein the rank setting screen includes a questionnaire column in addition to a selection column of the distribution rank, the information distribution apparatus comprising: a questionnaire result storage part for storing answer data to the questionnaire column; a questionnaire record updating part for receiving answer data to the questionnaire column from the receiving apparatus through the sending/receiving control part, and updating contents stored in the questionnaire result storage part; and a questionnaire information passing part for totalizing questionnaire results stored in the questionnaire result storage part, and sending the totalized result to the sending apparatus through the sending/receiving control part. (Abstract, 0017, 0033-0035, 0041, 0047, 0060, 0062, 0071)

Claim 15 is rejected for essentially being the method for the system described in claim 6.

As to claim 7, Reilly teaches an information distribution apparatus according to claim 6, comprising a menu storage part for storing predetermined questionnaire contents and questionnaire contents provided by each sender, wherein questionnaire contents to be displayed in the questionnaire column on the rank setting screen are selected by each sender from questionnaire contents stored in the menu storage part. (Abstract, 0017, 0071, 0071, 0072)

Claim 16 is rejected for essentially being the method for the system described in claim 7.

As to claim 8, Reilly teaches an information distribution apparatus according to claim 1, wherein the distribution rank storage part includes a region for storing a distribution rank selected by each receiver on a sender basis or on the basis of the kind of information distributed from each sender. (Abstract, 0071, 0072)

Claim 17 is rejected for essentially being the method for the system described in claim 8.

As to claim 9, Reilly teaches an information distribution apparatus according to claim 1, wherein summarization processing of distribution information by the summarization processing part is either one of the following processing selected by each sender: processing of conducting summarization based on a predetermined rule and processing of outputting an abstract previously provided together with the

distribution information in accordance with each distribution rank from the sender as a summarized result. (Abstract, 0051, 0052, 0059, 0069)

Claim 18 is rejected for essentially being the method for the system described in claim 9.

As to claim 10, Reilly teaches an information distribution apparatus according to claim 1, comprising a standard rank determining part for determining an initial distribution rank based on evaluation by a plurality of receivers. (0105)

Claim 19 is rejected for essentially being the method for the system described in claim 10

As to claim 20, Reilly teaches a program for allowing a computer to execute processing of mediating distribution of information from a sending apparatus to a receiving apparatus, comprising: when receiving a request for distribution of information from the sending apparatus, storing an original of distribution information from the sending apparatus in a distribution information storage part; (Abstract, 0091-0093)

obtaining, from a distribution rank storage part, a distribution rank defining distribution conditions containing designation of a summarization degree of distribution information in a plurality of levels, selected by a receiver of the distribution information with respect to the distribution information from the sender; and summarizing the distribution information stored in the distribution information storage part in accordance with designation of a summarization degree corresponding to the obtained distribution rank, and allowing a computer to execute processing of distributing the summarized

Art Unit: 2155

distribution information to the receiving apparatus. (Abstract; 0015, 0017, 0031-0035, 0051, 0054, 0069)

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asad M Nawaz whose telephone number is (703) 305-0094. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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